

**CITY OF NEW YORK
DEPARTMENT OF CONSUMER AFFAIRS**

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DEPARTMENT OF CONSUMER AFFAIRS,

NOTICE OF HEARING

Complainant,

LL # 5206481

-against-

153 Washington Avenue
Brooklyn, NY 11205

ASSMAT ABDELRAHMAN

License # 1115274

(Process Server Individual)

Licensee/Respondent.
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TO THE ABOVE NAMED LICENSEE:

In accordance with the powers of the Commissioner of the New York City Department of Consumer Affairs ("the Department") set forth in Section 2203(e) of Chapter 64 of the Charter of the City of New York and Section 20-104 of the Administrative Code of the City of New York ("the Code"), **YOU ARE HEREBY ORDERED TO APPEAR FOR A HEARING AT THE ADJUDICATION DIVISION OF THE DEPARTMENT OF CONSUMER AFFAIRS, 11TH FLOOR, 66 JOHN STREET, BOROUGH OF MANHATTAN, NEW YORK, NEW YORK 10038 on FEBRUARY 2nd, 2011 at 8:30am** to: have charges against you heard concerning violations of the Code, found in Chapter 1 of the Code, beginning at Section 20-101 (known as the License Enforcement Law), Chapter 2 of the Code, Subchapter 23, beginning at Section 20-403 (known as the Process Servers Law), Title 6 of the Rules of the City of New York ("6 RCNY"), beginning at Section 1-01 (known as the License Enforcement Rules), Title 6 of the Rules of the City of New York, Chapter 2, Subchapter W, beginning at Section 2-231 (known as the Process Servers Rules);

AND SHOW CAUSE why your license to operate as an Individual Process Server should not be suspended or revoked, why monetary penalties should not be imposed on you and why you should not be prohibited, based on lack of fitness, from holding any license issued by the Department on the grounds specified herein.

Complainant, The City of New York Department of Consumer Affairs, by its attorney, Jordan P. Cohen, Esq., as and for its complaint upon information and belief alleges the following:

LICENSE STATUS

1. Respondent, Assmat Abdelrahman, holds an Individual Process Server license issued by the Department and has done so since on or about September 9, 2002.
2. A process server license is renewable in two-year intervals.
3. Respondent's process server license will expire on February 28, 2012.

FACTS

Respondent Served with Subpoena

4. On or about August 23, 2010 the Department issued to Respondent a subpoena duces tecum. The subpoena was returnable on September 20, 2010.
5. The subpoena called for certain of Respondent's appearance and for certain of books and records, including production of process serving logbooks that Respondent is required to maintain pursuant to 6 RCNY 2-233.

FAILURE TO RESPOND TO SUBPOENA

6. Respondent failed to appear on September 20, 2010, the date that his subpoena was returnable.
7. Respondent has not contacted the Department regarding his subpoena.

CHARGES

FAILURE TO RESPOND TO SUBPOENA

Count 1

1. The allegations of paragraphs **4 - 7** above are incorporated by reference as though fully realleged herein.
2. Respondent failed to answer a subpoena duces tecum in violation of the Rules of City of New York, Title 6, § 1-14.

LACK OF FITNESS

3. The allegations of paragraphs **4 - 7** above are incorporated by reference as though fully realleged herein.
4. By virtue of the activities described above Respondent violated § 20-101 of the Code by failing to maintain the standards of integrity, honesty and fair dealing required of licensees.

WHEREFORE, the Department demands that an order issue: 1) finding Respondent unfit to hold future Department licenses for a period of no less than two (2) years; 2) imposing maximum fines on Respondent for each and every charge set forth herein; and 3) granting such other relief as is deemed just and proper.

YOU HAVE THE RIGHT TO BE REPRESENTED BY COUNSEL

IF, AFTER THE HEARING ON THESE CHARGES, YOU ARE FOUND TO HAVE VIOLATED THE LICENSING LAWS OR REGULATIONS AS CHARGED HEREINABOVE, YOU MAY BE SUBJECT TO A FINE, YOUR LICENSE MAY BE REVOKED, AND/OR OTHER PENALTIES MAY BE IMPOSED, AS AUTHORIZED BY LAW.

IF YOU DO NOT APPEAR FOR THE HEARING AS ORDERED, A DECISION MAY BE RENDERED ON DEFAULT, YOU MAY BE SUBJECT TO A FINE AND LICENSE REVOCATION, AND AN ADDITIONAL PENALTY FOR FAILING TO APPEAR MAY BE IMPOSED.

THE DATE OF THIS HEARING WILL NOT BE CHANGED UNLESS A WRITTEN REQUEST FOR AN ADJOURNMENT IS RECEIVED BY THE DIRECTOR OF ADJUDICATION OF THE DEPARTMENT, A COPY OF THAT REQUEST IS DELIVERED TO THE COUNSEL'S OFFICE OF THE DEPARTMENT AND TO ALL OTHER OPPOSING PARTIES, IF ANY, AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE HEARING, AND UNLESS THE REQUEST IS APPROVED. THE REQUEST WILL BE APPROVED ONLY IF THERE IS PROOF OF THE NECESSITY FOR THE ADJOURNMENT. A HEARING MAY BE ADJOURNED IF REQUESTED FEWER THAN THREE (3) BUSINESS DAYS BEFORE THE HEARING ONLY UPON PROOF OF AN EMERGENCY AND AFTER EVERY OPPOSING PARTY HAS BEEN NOTIFIED.

IN ORDER TO DEFEND AGAINST THESE CHARGES, YOU MUST APPEAR EITHER PERSONALLY OR THROUGH AN AGENT FAMILIAR WITH THE CASE. IF AN AGENT APPEARS WITHOUT YOU, WHAT HE OR SHE SAYS WILL BE DEEMED YOUR OWN TESTIMONY.

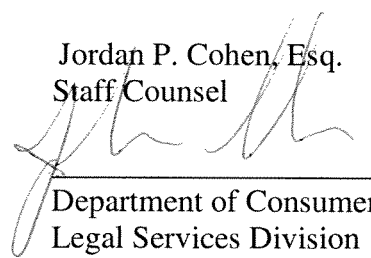
IF YOU DO NOT SPEAK FLUENT ENGLISH, YOU MAY USE THE TRANSLATION SERVICES PROVIDED BY DCA.

A BOOKLET ENTITLED "ADMINISTRATIVE HEARING GUIDE" WHICH EXPLAINS THE HEARING REGULATIONS OF THE DEPARTMENT IS AVAILABLE ONLINE ON THE DCA WEBSITE www.nyc.gov/consumers, OR CAN BE OBTAINED FOR FREE BY CALLING 311, OR BY COMING TO THE DEPARTMENT IN PERSON.

Dated: January 18, 2011
New York, New York

For: Jonathan Mintz
Commissioner

By: Jordan P. Cohen, Esq.
Staff Counsel



Department of Consumer Affairs
Legal Services Division
42 Broadway, 9th Floor
New York, NY 10004
Phone: (212) 487-6279

THE BELOW ENTITY IS HEREBY CHARGED WITH THE FOLLOWING VIOLATION (S) OF:

[illegible]

CAMIS ID # 40906690	TAX ID #	LICENSE NO. 115274	START TIME :	END/SERVED TIME :	CERT. # 5206481
NAME (INDIVIDUAL, PARTNERSHIP, CORPORATION) Abdelrahman, Assmat		D.B.A.		TELEPHONE NO.	
ADDRESS 153 Washington Avenue			BORO 03	ZIP 11205	INSPECTION DATE / /
					BUS. CODE

INSPECTION RESULT						
<input type="checkbox"/> VIOLATION ISSUED	<input type="checkbox"/> LICENSED	<input type="checkbox"/> NO EVIDENCE OF ACTIVITY	<input type="checkbox"/> RESULT PENDING	<input type="checkbox"/> REINSPECTION	<input type="checkbox"/> BUSINESS PADLOCKED	<input type="checkbox"/> OBT. EVIDENCE OF ACTIVITY
<input type="checkbox"/> NO VIOLATION	<input type="checkbox"/> OOB	<input type="checkbox"/> NO LICENSE REQUIRED	<input type="checkbox"/> WARNING	<input type="checkbox"/> CONFISCATION	<input type="checkbox"/> W & M ORDER	<input type="checkbox"/>

INSPECTOR'S NAME <i>J. Cohen</i>	INSPECTOR'S SIGNATURE <i>[Signature]</i>	DIV. <i>/ /</i>	UNIT <i>/ /</i>	I.D. <i>/ /</i>	BADGE <i>/ /</i>
INSPECTOR'S NAME	INSPECTOR'S SIGNATURE	DIV. <i>/ /</i>	UNIT <i>/ /</i>	I.D. <i>/ /</i>	BADGE <i>/ /</i>

February 2, 2011 AT 830 A.M. OR P.M.

<p align="center">READ THE BACK OF THIS FORM FOR IMPORTANT INFORMATION</p> <p align="center">A COPY OF THIS NOTICE WAS RECEIVED BY ME</p>			
VENDOR'S NAME (PRINT)	VENDOR'S SIGNATURE	POSITION	DATE
			/ /

PRE-HEARING DISPOSITION						
RECIDIVIST <input type="checkbox"/> Y <input type="checkbox"/> N	PLEADING LETTER \$	DATE SENT / /	BY:	DATE SETTLED / /	FINE \$	<input type="checkbox"/> PAID <input type="checkbox"/> PAR <input type="checkbox"/> DNP SETTLEMENT OFFICER

PLEASE BRING THIS NOTICE WITH YOU. SEE REVERSE SIDE FOR ADDITIONAL INFORMATION.